

# Court of Appeals, State of Michigan

## ORDER

Mary E. Williams v Joan Wright

Docket No. 279688

LC No. 05-043106 - CK

Joel P. Hoekstra  
Presiding Judge

David H. Sawyer

Jane E. Markey  
Judges

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Pursuant to MCR 7.205(D)(2), in lieu of granting the application for leave to appeal, the Court VACATES the circuit court's July 16, 2007 order denying defendant's motion for partial summary disposition, and REMANDS this matter to the circuit court with direction to enter an order dismissing plaintiff's complaint in its entirety. Allowing a party to make a showing that less than all issues were submitted to case evaluation has no basis in MCR 2.403(M)(1). *CAM Construction v Lake Edgewood Condominium Assoc*, 465 Mich 549, 556-557; 640 NW2d 256 (2002). Parties may not except claims from evaluation under the rule, and once all parties accept the panel's evaluation, the case is over. *Id.* The rule contains no exception for good cause shown, to avoid a miscarriage of justice, or any other language that would permit a court to inject principles of equity into the application of the rule. The Court does not retain jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR 10 2008  
Date

*Sandra Schultz Mengel*  
Chief Clerk